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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|----------------------------|-----------------|------------------------|
| Applicant:  | LOVETT <i>et al.</i>       | Examiner:       | Nguyen, H.             |
| Serial No.: | 10/643,006                 | Group Art Unit: | 2975                   |
| Filed:      | August 18, 2003            | Docket No.:     | GUID.060PA<br>(99-147) |
| Title:      | SLEEP STATE CLASSIFICATION |                 |                        |

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 22, 2006.

By   
Tracey M. Dotter

RESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's requirement for species election dated April 20, 2006, the claims of Species 1(A), 2(A), 3(B), 4(B), 5(C), 6(A), and 7(B) are provisionally elected with traverse. The Applicants respectfully request reconsideration and withdrawal of the species election requirement, for reasons set forth below.

**THE CLAIMS** are reflected in the listing of claims which begins on page 2 of this paper.  
**REMARKS/ARGUMENTS** begin on page 12 of this paper.